

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.	CV 12-6368 MMM (JCG)	Date	August 28, 2012
Title	Dale Harrison v. R. P. Gutierrez, Warden, et al.		

Present: The Honorable	Jay C. Gandhi, United States Magistrate Judge
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Beatriz Martinez

None Appearing

Deputy Clerk

Court Reporter / Recorder

Tape No.

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

None Appearing

None Appearing

Proceedings: **(IN CHAMBERS) PETITIONER’S MOTION FOR VOLUNTARY
DISMISSAL**

On August 27, 2012, Petitioner Dale Harrison filed a “Motion for Voluntary Dismissal” pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i) (“Motion”).

Fed. R. Civ. P. 41(a)(1)(A)(i) allows a plaintiff or petitioner to dismiss an action without a court order by filing a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment.

Here, Respondents have not filed either an answer or a motion for summary judgment. Accordingly, the case is dismissed by operation of law, and without the need for a court order, pursuant to Plaintiff’s Motion. The dismissal is without prejudice under Fed. R. Civ. P. 41(a)(1)(B).

IT IS SO ORDERED.

Initials of Preparer

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